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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,247	10/29/2001	Chris A. Wolfe	010188	9072

23696 7590 01/18/2006

QUALCOMM, INC
5775 MOREHOUSE DR.
SAN DIEGO, CA 92121

EXAMINER

JEANTY, ROMAIN

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/000,247	WOLFE ET AL.	
	Examiner	Art Unit	
	Romain Jeanty	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,4,5,41,43,44,48 and 50-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,41,43,44,48 and 50-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is in response to the communication received October 31, 2001.
- Claims 1, 4-5, 41, 43-44, 48, 50-62 are pending in the application for further communication.

Response to Arguments

2. Applicants' arguments filed on October 31, 2005 have been considered and found to be persuasive. The restriction requirement has been withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-5, 41, 43-44, 48, and 50-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hancock et al (U.S. Patent No. 6,785,718) in view of Koenck et al (U.S. Patent No. 6,749,122).

As per claims 1, 5, 59, Hancock discloses a method for interfacing with a shipping service. In so doing, Hancock discloses receiving a request to transport a freight (i.e., receiving a request to transport product; col. 9, lines 1-17), determining that the carrier is not available to transport the freight, transmitting a request for a third party to transport the freight and determining that the freight can be transported by a third party vehicle of the third party carrier (col. 11, lines 11-22, lines 52-61; col. 12, lines 1-7), the third party vehicle associated with a

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communication device (col. 5 line 54 through col. 6 line 10), assigning the freight to the third party for transportation (col. 17, lines 20-30). Hancock et al does not explicitly disclose reconfiguring a network management facility to redirect at least a portion of the third party communication to a carrier dispatch center associated with the carrier. Koenck in the same field of endeavor discloses the concept of redirecting communication to a carrier by using a communication controller for transferring received and updated status information on the shipped articles to a central data station. Note abstract and col. 4, lines 27-40 of Koenck. It would have been obvious to a person of ordinary skill in the art to have modified the disclosures of Hancock to incorporate reconfiguring a network management facility to redirect at least a portion of the third party communication to a carrier dispatch center associated with the carrier as evidenced by with the motivation for tracking articles in transit which are transferred in express type shipping operations involving pickup and delivery operations.

As per claim 4, Hancock further discloses wherein said third party comprises a vehicle equipped with a mobile communication terminal (col. 3 lines 52-63).

As per claim 44, Hancock discloses a method for interfacing with a shipping service. In so doing, Hancock discloses a processor (See figure 2, element 306) for receiving a request to transport a freight (i.e., receiving a request to transport product; col. 9, lines 1-17), determining that the carrier is not available to transport the freight, transmitting a request for a third party to transport the freight and determining that the freight can be transported by a third party vehicle of the third party carrier (col. 11, lines 11-22, lines 52-61; col. 12, lines 1-7), the third party vehicle associated with a communication device (col. 5 line 54 through col. 6 line 10), assigning the freight to the third party for transportation (col. 17, lines 20-30), a memory for storing

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information pertaining to the availability of carrier vehicles to transport the freight. See figure 3, element 308 of Hancock.

Hancock et al does not explicitly disclose reconfiguring a network management facility to redirect at least a portion of the third party communication to a carrier dispatch center associated with the carrier. Koenck in the same field of endeavor discloses the concept of redirecting communication to a carrier by using a communication controller for transferring received and updated status information on the shipped articles to a central data station. Note abstract and col. 4, lines 27-40 of Koenck. It would have been obvious to a person of ordinary skill in the art to have modified the disclosures of Hancock to incorporate reconfiguring a network management facility to redirect at least a portion of the third party communication to a carrier dispatch center associated with the carrier as evidenced by with the motivation for tracking articles in transit which are transferred in express type shipping operations involving pickup and delivery operations.

As per claim 48 is a signal medium tangibly embodying a program of machine-readable instructions executable by a digital processing apparatus to perform the method for arranging for the transportation of freight of claim 1; therefore claim 48 is rejected under the same analysis relied upon of claim 1.

As per claim 50-58, and 60-62, the claimed features are standard practice in the communication art. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to incorporate these such features into Hancock and Koenck with the motivation to effectively manage the transfer of products from a source site to a

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destination site track articles in transit which are transferred in express type shipping operations involving pickup and delivery operations.

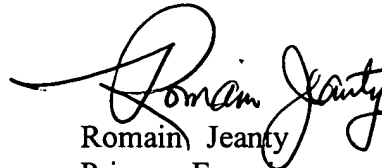
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 27, 2005


Romain Jeanty
Primary Examiner
Art Unit 3623